

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:09-cr-257

v.

HON. JANET T. NEFF

GEORGE MATTOX,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant George Mattox has filed a motion for modification or reduction of sentence (Dkt 103) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department has filed a Sentence Modification Report (Dkt 124). Defendant has filed a Response (Dkt 125), and a Response (Dkt 126) has been filed by the Government.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 124) and the Responses (Dkts 125, 126), the Court has determined that the defendant is eligible for a reduction of sentence

according to the policy statements of the U.S. Sentencing Commission. Defendant's sentence is reduced to 120 months.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 103) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED.

DATED: November 10, 2015

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge